

# POLICY AND COMMUNICATIONS BULLETIN

## THE CLINICAL CENTER

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Medical Administrative Series

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M94-5 (rev.)

15 June 1999

### MANUAL TRANSMITTAL SHEET

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SUBJECT: Reporting Child Abuse/Neglect in the Clinical Center

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1. Explanation of Material Transmitted: This issuance transmits the policy of the Clinical Center regarding the reporting of suspected child abuse or neglect. This policy was originally approved by the Medical Board at its meeting on 6 September 1994. The policy was reviewed most recently by the Medical Executive Committee on 1 June 1999 and approved with changes corresponding to changes in the Maryland statute.
2. Material Superseded: MAS No. M94-5, dated 21 October 1997
3. Filing Instructions: "Other" Section

Remove: No. M94-5 (rev.), dated 21 October 1997

Insert: No. M94-5 (rev.), dated 15 June 1999

#### Distribution:

Physicians, Dentists and Other Practitioners Participating in Patient Care

# POLICY AND COMMUNICATIONS BULLETIN

## THE CLINICAL CENTER

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Medical Administrative Series

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M94-5 (rev.)

15 June 1999

SUBJECT: Policy on Reporting Child Abuse/Neglect

### PURPOSE

To comply with professional standards of practice and statutory reporting requirements for licensed health care workers and others, the following procedures should be followed when child abuse or neglect is suspected by any health practitioner in the Clinical Center.

### POLICY

Any health care worker in the Clinical Center who suspects that a child is or has been the object of abuse or neglect, or suspects an adult of abusing or neglecting a child, should immediately report the situation to the proper authority as provided in the reporting section below. Clinical Center staff shall cooperate with any investigation conducted.

### DEFINITIONS

Abuse: "Abuse" means (1) the physical or mental injury of a child by any parent or other person who has permanent or temporary custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed, or (2) sexual abuse of a child, whether physical injuries are sustained or not.

Child: "Child" means any individual under the age of 18 years.

Neglect: "Neglect" means the leaving of a child unattended or other failure to give proper care and attention to a child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child under circumstances that indicate mental injury to the child or a substantial risk of mental injury or that the child's health or welfare is harmed or placed at substantial risk of harm.

Sexual Abuse: "Sexual Abuse" means any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child, or by any household or family member.

#### CRITERIA FOR ASSESSMENT OF POTENTIAL CHILD ABUSE OR NEGLECT:

The following criteria, along with a social assessment should be utilized to identify potential abuse victims. These criteria include but are not limited to:

- I. Physical Appearance
  - unexplained multiple bruises, burns, fractures and lacerations or abrasions,
  - consistent hunger, poor hygiene, inappropriate dress, constant fatigue, or listlessness,
  - unattended physical problems or medical needs.
- II. Behavioral
  - appears overly fearful or reluctant to respond when questioned,
  - patient and family provide conflicting accounts of the incident,
  - family member seeks to prevent the patient from interacting privately or speaking openly with healthcare providers
- III. Sexual Abuse
  - difficulty in walking or standing,
  - torn, stained, or bloody underclothing,
  - pain or itching of genital area,
  - trauma to genital or perineal area.

#### REPORTING

##### I. General Comments

Under Maryland law, any person who makes or who participates in making a report of abuse or neglect in good faith is immune from civil liability or criminal penalty.

If a health care worker has a question as to whether suspected abuse and/or neglect has occurred, the health care worker may wish to consult with his/her Clinical Director or with staff members in the NIH Legal Advisor's Office.

##### II. Suspected Abuse and/or Neglect Occurring on the NIH Enclave

In cases of suspected abuse and/or neglect occurring on the NIH Enclave, the health practitioner should immediately report the situation to his/her Institute Clinical Director or Clinical Center Department Head, or designee, who will report it to the

Director of the Clinical Center, or designee. The health practitioner shall also be responsible for immediately reporting the situation to the NIH Police [(301) 496-5685] and the Montgomery County Department of Social Services [(301) 217-4417]. If the patient is a resident of another jurisdiction, the Montgomery County Department of Social Services will notify the proper office in that jurisdiction. The NIH Police and Montgomery County Department of Social Services will coordinate their joint investigations.

Prior to the interview of any patient, the physician responsible for the patient's care shall be informed by the NIH Police, in order that the NIH Police and professional staff can work together to eliminate or minimize any detrimental effect on the conduct of the investigation or upon the treatment of the patient or the patient's welfare. The NIH Police will coordinate the scheduling of interviews with a Clinical Center staff member designated by the responsible physician to handle such coordination.

### III. Suspected Abuse and/or Neglect Occurring Off the NIH Enclave

In cases of suspected abuse and/or neglect occurring off the NIH Enclave, the health practitioner should immediately report the situation to his/her Institute Clinical Director or Clinical Center Department Head, who will report it to the Director of the Clinical Center, or designee. The health practitioner shall also be responsible for immediately reporting the situation to the Montgomery County Department of Social Services [(301) 217-4417]. If the patient is a resident of another jurisdiction, the Montgomery County Department of Social Services will notify the proper office in that jurisdiction.